



November 22, 2004

DESIGN MEMORANDUM No. 04-18
TECHNICAL ADVISORY

TO: All Design, Operations, District Personnel, and Consultants

FROM: /s/ Anthony L. Uremovich
Anthony L. Uremovich
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SUBJECT: Oversight Responsibility

SUPERSEDES: *Indiana Design Manual* Section 40-7.0

EFFECTIVE: Immediately

The 1991 *Intermodal Surface Transportation Efficiency Act* (ISTEA), and the National Highway System Act of 1995, in addition to a realignment of the Federal-aid system, revised the role of the Federal Highway Administration on individual projects. The Transportation Efficiency Act for the 21st Century (TEA-21) of 1998, further revised the role of the FHWA on individual projects as described below.

1. Highway System. FHWA oversight is generally only on Interstate projects.
2. Project Scope of Work. FHWA oversight is generally only on new Interstate construction/ reconstruction projects.
3. Project Cost. FHWA oversight is generally only on Interstate projects with an estimated construction cost exceeding \$1 million.

The jointly-approved INDOT and FHWA *Stewardship and Oversight Agreement* provides the basis for the stewardship and oversight of FHWA for the use of federal-aid funds by INDOT.

For a project with INDOT oversight, FHWA will not be involved with the normal day-to-day project activities, including field reviews, design approval, public hearing certification, design exceptions, PS&E submittal, etc. Such project is still subject to FHWA Program and Process Review. However, it is understood that all federally-funded projects will be designed in accordance with the appropriate criteria described in the *Indiana Design Manual*, as well as the INDOT *Standard Specifications* and *Standard Drawings*, regardless of FHWA review.

The FHWA is not precluded from reviewing or investigating any phase of the federal-aid program including control documents or federal-aid projects, especially projects including unique features or unusual circumstances such as special structure designs, experimental features, etc., where it would be desirable to have FHWA oversight. The oversight determination for such projects will be made at the meeting discussed in *Indiana Design Manual* Section 40-6.02(03), Item 3. INDOT and FHWA will meet to determine oversight responsibility based on Figure 04-18A, shown below.

Project Category	HIGHWAY SYSTEM		
	Interstate	Non-Interstate NHS	Non-NHS
New Construction, Reconstruction, or Partial Reconstruction (4R) $\geq \$1,000,000$	FHWA Oversight	INDOT Oversight	INDOT Oversight
New Construction or Reconstruction (4R) $< \$1,000,000$	INDOT Oversight	INDOT Oversight	INDOT Oversight
3R Project	INDOT Oversight	INDOT Oversight	INDOT Oversight
Design-Build Project	FHWA Oversight	FHWA Oversight	INDOT Oversight
Rest Area or Weigh Station $\geq \$1,000,000$	FHWA Oversight	INDOT Oversight	INDOT Oversight
Intelligent Transportation Systems (ITS) Features	FHWA Oversight	FHWA Oversight	INDOT Oversight

Note: Although this figure provides general guidelines for determining FHWA oversight on projects, there may be exceptions such as projects including unique features or unusual circumstances such as special structure designs, experimental features, etc., where it would be desirable to have FHWA oversight.

OVERSIGHT RESPONSIBILITY

Figure 04-18A

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